

Notice of Allowability

Application No.

09/241,744

Applicant(s)

EINARSON ET AL.

Examiner

Daniel S. Larkin

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks filed 2 July 2004 and Ex's Amdt. of 7 September 2004.
2. ☒ The allowed claim(s) is/are 1-6, 16-20, and 26-31.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 7 Sept. 2004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DANIEL S. LARKIN
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in applicants' remarks filed 2 July 2004.

The application has been amended as follows:

Page 4, line 6: Delete the term "multichambered" and replace with the term -- multi-chambered --.

Page 4, lines 13 and 14: Delete the term "multichamber" and replace with the term -- multi-chamber --.

Page 5, line 3: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 5, line 9: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 5, lines 19 and 21: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 6, lines 21 and 24: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 7, lines 4, 8, and 23: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 7, lines 6 and 22: Delete the term "Figure" and replace with the term

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-- FIGURE --.

Page 8, line 3: Delete the abbreviation "Fig." and replace with the term

-- FIGURE --.

Page 8, line 10: Delete the term "Figures" and replace with the term

-- FIGURES --.

Page 8, line 13: Delete the term "figure" and replace with the term

-- FIGURE --.

Page 8, line 14: Delete the term "Figure" and replace with the term

-- FIGURE --.

Page 8, line 15: Insert the term -- embodiment -- after the term

"alternative".

Page 9, line 12: Delete the abbreviation "Fig." and replace with the term

-- FIGURE --.

Page 10, line 22: Delete the abbreviation "Fig." and replace with the term

-- FIGURE --.

Page 11, line 2: Delete the abbreviation "Fig." and replace with the term

-- FIGURE --.

Page 11, line 9: Delete the term "alternatives" and replace with the term

-- alternative --; and insert the term -- embodiments -- after the term "alternative".

Page 12, lines 6 and 10: Delete the abbreviation "Fig." and replace with the term -- FIGURE --.

Page 12, line 22: Delete the term "Teflon" and insert the phrase TEFLON (polytetrafluoroethylene).

Page 13, line 18: Delete the numeral "6" and replace with the term
-- six --.

2. The examiner requires the following changes to the drawings. Applicants have failed to address either through discussion or by amendment the following formal matters which were cited in the previous Office Action:

The terminology used to label the drawing figures is not consistent with either the other drawing figures or the Brief Description of the Drawing section of the application. For example, Figures 1 and 5-7 are labeled as "FIGURE"; Figures 2, 3, 4A, 4B, 4C, and 4D are labeled "FIG."; and Figure 4E is provided with no designation at all. Moreover, the Brief Description of the Drawings labels all of the figures, FIGURES.

FIGURES 1A and 1B should each be labeled separately as -- FIGURE 1A -- and -- FIGURE 1B --.

Reference numeral "218", as shown in FIGURE 2, does not appear within the written specification.

In order to avoid abandonment of the application, applicant must make these above drawing changes.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Larkin whose telephone number is 571-272-2198. The examiner can normally be reached on 8:00 AM - 5:00 PM Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Larkin
AU 2856
07 September 2004



DANIEL S. LARKIN
PRIMARY EXAMINER